in fact sign? There seems to be no authority in this country on this particular point. But an English case, *Cycle Corp.* v. *Humber,* [1899] 2 Q. B. 414, held, in accordance with the conclusion in the instant case, that it was sufficient if the agent was authorized to sign the particular document which he did sign. It is submitted that this is the correct view.

GAME—RIGHT TO SHOOT WILD FOWL IN NAVIGABLE WATERS.—Defendant trustees, acting upon the assumption that they had the exclusive right of hunting and fishing in a certain tract, leased certain parts of a bay to a third party "for * * * purpose * * * of the gunning privilege and the right of shooting wild fowl." Upon the suit of a taxpayer to have the lease set aside on the ground that the trustees possessed no right to grant such privileges, *held,* that since the public had a right of passage over the bay it possessed the right to shoot wild fowl therein, and the lease was therefore void. *Smith* v. *Odell, et al.,* (N. Y. Supreme Court, 1921), 185 N. Y. S. 647.

The decision in the instant case proceeds on the theory that the privilege of shooting wild fowl is incidental to the right of navigation. Although some courts have upheld this doctrine, *Ainsworth* v. *Hunting and Fishing Club,* 153 Mich. 185, 116 N. W. 992; *Forestier* v. *Johnson,* 164 Cal. 24, 127 Pac. 156; yet generally where the soil is privately owned the existence of such an incidental right has been denied. *Schulte* v. *Warren,* 218 Ill. 108, 75 N. E. 783. See 16 MICH. L. REV. 37. The court attempts to justify its stand by drawing an analogy between the right to shoot wild fowl on navigable streams and the right to take wild game on land upon which one enjoys an easement. The answer is that a person who enjoys an easement on the land of another, for example for highway purposes, has no incidental right to shoot game thereon. He can use the land *for highway purposes only.* Any act inconsistent with his easement or in excess thereof makes the person, who up to that point was lawfully on the land, a trespasser. *Queen* v. *Pratt,* 4 El. & B. 860; *Adams* v. *Rivers,* 11 Barb. 390. The same rule should apply to the shooting of wild game in navigable waters, in which the public enjoys only a right of passage.

INFANTS—ACTION FOR PRENATAL INJURIES SUSTAINABLE.—In an action of negligence for injuries sustained while *en ventre sa mere,* it was *held,* that such an action could be sustained under the principles of the common law. *Drobner* v. *Peters* (1921), 186 N. Y. Supp. 278.

For a good many purposes an infant *en ventre sa mere* has been considered in existence, but in no case so far as is known has he been allowed to maintain a tort action for personal injuries. In general, however, the trend of the decisions seems to be that, for all purposes beneficial to the infant, an infant *en ventre sa mere* may be considered to be born. Thus such a child has been considered to be *in esse* for the purpose of securing a valid limitation of estates, *Long* v. *Blackall,* 7 Durn. & East 100; *Doe* v. *Clark,* 2 H. Black. 399; or he may take an estate by bequest, *Thelusson* v. *Woodford,* 4 Ves. Jr. 227. Or he may maintain action for the death of his father before birth due to the wrongful or negligent acts of another, *The George and Richard,* 3 L. R. Adm. 466; *Herndon* v. *St. Louis & S. F. Rd.,* 37 Okl. 256,